

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

IN RE BEXTRA AND CELEBREX  
MARKETING, SALES PRACTICES AND  
PRODUCTS LIABILITY LITIGATION

THIS RELATES TO:  
MDL Case No. 06-6077-CRB

Master Docket No. M:05-CV-01699-CRB

MDL No. 1699

STIPULATION AND ~~PROPOSED~~  
DISMISSAL WITHOUT PREJUDICE AS TO  
ONLY BRETT BATES

Plaintiff, Brett Bates, and defendant, Pfizer, Inc., by respective counsel undersigned, pursuant to Rule 41(a)(1), Federal Rules of Civil Procedure, hereby stipulate that the claims of only Brett Bates be dismissed without prejudice, with each side bearing its own attorneys' fees and costs.

Should plaintiff or their lawful representative(s) attempt to re-file this claim against defendant, he shall do so only be re-filing in the United States District Court.

Dated: July 30, 2007.

MATTHEWS & GUILD, P.A.

By: <sup>1</sup> \_\_\_\_\_  
Floyd L. Matthews, Jr.  
Florida Bar No. 182511  
2237 Riverside Avenue  
Jacksonville, FL 32204  
(904) 384-0505  
(904) 384-0555, facsimile  
[fmatthews@matthewsguild.com](mailto:fmatthews@matthewsguild.com)

Attorneys for Plaintiff,  
Brett Bates

<sup>1</sup> I hereby attest that I have on file all holograph signatures for any signatures indicated by a "conformed" signature (/s/) within this e-filed document.

GORDON & REES, LLP

7/30/07

By: 

Stuart M. Gordon, Esquire  
California Bar No. 37477  
275 Battery Street, Suite 2000  
San Francisco, California 94111  
(415) 986-5900  
(415) 262-3801, facsimile  
[sgordon@gordonrees.com](mailto:sgordon@gordonrees.com)

Attorneys for Defendant,  
Pfizer, Inc.

THE FOREGOING STIPULATION  
IS APPROVED AND IS SO ORDERED.

DATED: Aug. 8, 2007

CHARLES R. BREYER  
UNITED STATES DISTRICT COURT

